

Monte J. White & Associates, PC  
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IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
ABILENE DIVISION

IN RE:

Irvin Stanley Frazier  
and

Robin Wendy Frazier  
DEBTOR(s)

§ CASE NO. 11-10102-RLJ-13  
§  
§ HEARING DATE: 10/2/2013  
§ HEARING TIME: 11:00 A.M.

FIRST MODIFICATION OF CHAPTER 13 PLAN AFTER CONFIRMATION

DATE: 08/30/2013

Pursuant to 11 USC 1329, the Debtor(s) (per the undersigned attorney) or the Standing Chapter 13 Trustee, requests the following Modification of Debtor(s) Confirmed Plan herein:

I. HISTORY OF THE CASE

1. Date Case Filed: 3/30/2011
2. Date of Section 341 Meeting: 5/11/2011
3. First Payment Date: 4/29/2011
4. Date of Confirmation: 6/21/2011
5. Total Plan Term Prior to this Modification: 57
6. Number of Months from First Payment Date through month prior to estimated month of Modification Approval: 29
7. Remaining Plan Term (subtract item 6 from the lesser of item 5 or 60 months): 31 (in modified plan)
8. Amount of Arrears through the month prior to the date the Modification is filed: NONE
9. Date plan payments are to resume: 10/29/2013
10. Total Payments Paid to the Trustee through the month prior to the date the Modification is filed with the clerk: \$30,183.00
11. Total payments due to the Trustee through the month prior to the date the Modification is filed with the clerk: \$27,837.00
12. Total Payments Due to the Trustee from the month the Modification is filed to the month the Modification is set for approval: NONE (paid ahead)
13. List Dates of any Prior Orders Modifying, Interlocutory Orders, or Special Supervision Orders: TRCC 12/21/2011

## II. MODIFICATION REQUESTED

(CHECK 1 OR MORE OF THE FOLLOWING 4 CHOICES)

- x   INCREASE monthly payment from \$1,031.00 per month to \$1,195.00 per month  
(must coincide with resume date shown in item 9 above)
- x   Extend months from 57 months to 60 months (not to exceed 60 calendar months  
from month of First Payment Date)

Any arrears indicated in item 8 above shall be cured by the following method: N/A

## III. RESUMPTION OF PAYMENTS TO THE TRUSTEE

(All information below must be complete)

Payments can only change as of the month the modification is approved. Payments to the Trustee in the amount of \$1,195.00 will resume on or before 10/29/2013 for 31 (in modified plan) months (item 7 above) remaining in the Modified Plan as of the date the modification is approved.

Base amount will change from \$58,767.00 to \$66,944.00

If the base amount has changed complete the following:

1. Total Paid in as of the month prior  
to Modification Approval: \$29,899.00
2. (+)Plus Total Payments to be made  
through the Remainder of Plan: \$37,045.00  
(Making up any arrears in item 9 above)
3. (=) New Base Amount \$66,944.00

## IV. TREATMENT OF UNSECURED CREDITORS

Unsecured creditors are not guaranteed a dividend when a plan is confirmed. See general order 2006-1. Allowed general unsecured claims may receive a pro-rata share of the unsecured creditors' pool, but not less than the section 1325(a)(4) amount of non-exempt property less allowed administrative and priority claims, after the TRCC becomes final. A proof of claim must be timely filed to be allowed.

## V. SECURED, PRIORITY OR SPECIAL CLASS TREATMENT

ADD/DELETE/SURRENDER/CHANGE the following Secured, Priority or Special Class Unsecured Creditor(s):

C/D;A=ADD;D = DELETE; S = SURRENDER; CF = CHANGE FROM; CT = CHANGE TO  
CodeName Class Amount Collateral Value Interest Treatment

CT	S-Ocwen Loan Servicing	Pre-petition home arrears	\$6,564.81	\$137.91 per month
CT	S-Homeplus	Pre-petition arrears	\$5,448.32	\$104.16 per month
CT	S-Americredit Financial	2010 Dodge Ram	\$28,710.67	\$557.77 per month
A	S-New York Mellon Trust Company per AO entered 7/2/2013	Post-petition home arrears	\$5,829.99	\$188.06 per month
A	S-Lacks Stores per AO entered 8/29/2013	Furniture	\$2,633.73	\$73.99 per month

Note: Changes to any creditors above shall not be effective until the Modification is approved.

#### VI. ATTORNEY FEES

Debtor's attorney shall be allowed an additional fee for this Modification in the total amount of \$350.00 plus \$50.00 in costs, of which \$400.00 will be paid through the Plan by the Trustee.

#### VII. REASON FOR MODIFICATION

This modification is requested for the following reason(s): Add secured debt per AO's entered with the Court with New York Mellon Trust Company on 7/2/2013 and Lacks Stores on 8/29/2013.

#### VIII. BUDGET INFORMATION

At the time of filing this modification the debtor shall provide a filed marked copy of the current budget (schedules I & J) and the three most recent pay stubs to the Trustee.

N/A

Respectfully submitted,

/s/Monte J. White  
Attorney for Debtor(s)

CERTIFICATE OF SERVICE

I certify that a true copy of the above and foregoing Modification of Plan after Confirmation has been served by me on 08/30/2013, on all parties on the attached matrix, by ECF and/or United States First Class Mail, proper postage affixed.

/s/Monte J. White  
Attorney for Debtor(s)

Label Matrix for local noticing  
0539-1  
Case 11-10102-rlj13  
Northern District of Texas  
Abilene  
Fri Aug 23 13:10:53 CDT 2013

Lack's Stores, Inc.  
P.O. Box 33158  
San Antonio, TX 78265-3158

Taylor CAD  
co Michael Reed  
P.O. Box 1269  
Round Rock, TX 78680-1269

United States Trustee  
1100 Commerce Street  
Room 976  
Dallas, TX 75242-0996

306 Federal Building  
1205 Texas Avenue  
Lubbock, TX 79401-4037

Abilene Diagnostic Clinic  
PO Box 5409  
Abilene, TX 79608-5409

(p)AMERICREDIT  
PO BOX 183853  
ARLINGTON TX 76096-3853

Americredit  
Po Box 181145  
Arlington, TX 76096-1145

At & T  
P.O. Box 930170  
Dallas, Tx 75393-0170

Celink  
2143 S Sepulveda B  
Los Angeles, CA 90025-5733

Central Fin  
3424 North First  
Abilene, TX 79603-6912

Cr Syst Intr  
1277 Country Club  
Fort Worth, TX 76112-2304

GMAC Mortgage, LLC  
GRANT M. TABOR, ESQ.  
PITE DUNCAN, LLP  
4375 Jutland Drive, Suite 200  
P.O. Box 17933  
San Diego, CA 92177-7921

GMAC Mortgage, LLC  
c/o Pite Duncan LLP  
550 Westcott, Suite 560  
Houston, TX 77007-9000

Hendrick Medical Center  
Collection Department  
1900 Pine Street  
Abilene, Texas 79601-2432

Home Comings Financial  
Attention: Bankruptcy Dept  
1100 Virginia Drive  
Fort Washington, PA 19034-3204

Homeplus Fin  
2143 S Sepulveda B  
Los Angeles, CA 90025-5733

Homeplus Finance Corporation  
2143 South Sepulveda Boulevard  
2nd Floor  
Los Angeles, CA 90025-5733

Homeplus Finance Corporation  
600 LAIRPORT STREET  
EL SEGUNDO, CA 90245-5004

(p)INTERNAL REVENUE SERVICE  
CENTRALIZED INSOLVENCY OPERATIONS  
PO BOX 7346  
PHILADELPHIA PA 19101-7346

Lack's Stores, Inc.  
Attn: Bankruptcy/Legal Dept.  
P.O. Box 33158  
San Antonio, TX 78265-3158

Lacks Furn  
2391 Ne Loop Suite 201  
San Antonio, TX 78217

(p)MICHAEL REED OR LEE GORDON  
PO BOX 1269  
ROUND ROCK TX 78680-1269

Monte J. White & Associates, P.C.  
402 Cypress, Suite 310  
Abilene, TX 79601-5151

Service Bureau Inc  
2705 81st St  
Lubbock, TX 79423-2229

Stream Energy  
P.O. Box 650026  
Dallas, TX 75265-0026

TXU Energy Retail Company LLC  
CO Bankruptcy Department  
PO Box 650393  
Dallas TX 75265-0393

Taylor Co. Central Appraisal District  
1534 South Treadaway Blvd  
Abilene, TX 79602-4927

The Bank of New York Mellon  
Ocwen Loan Servicing, LLC  
ATTN: Bankruptcy Department  
1100 Virginia Drive Suite 175  
Ft. Washington, PA 19034-3204

The Bank of New York Mellon Trust Company, N  
c/o GMAC Mortgage, LLC  
ATTN: Bankruptcy Department  
1100 Virginia Drive  
Ft. Washington, PA 19034-3204

(p)TXU ENERGY RETAIL COMPANY LP  
CO BANKRUPTCY DEPARTMENT  
PO BOX 650393  
DALLAS TX 75265-0393

Irvin Stanley Frazier  
1550 Longbotham  
Abilene, TX 79602-4026

Pamela Jean Chaney  
Monte J. White & Associates, P.C.  
American State Building  
402 Cypress, Ste. 310  
Abilene, TX 79601-5151

Robin Wendy Frazier  
1550 Longbotham  
Abilene, TX 79602-4026

Walter 12,13 Ocheskey  
6308 Iola Avenue  
Lubbock, TX 79424-2735

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified  
by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

AmeriCredit Financial Services, Inc.  
PO Box 183853  
Arlington, TX 76096

IRS Special Procedures  
Mail Code 5020-DAL  
1100 Commerce St, Room 9B8  
Dallas, TX 75242

(d)Internal Revenue Service  
PO Box 21126  
Philadelphia, PA 19114

Michael Reed  
McCreary Veselka, Bragg & Allen P.C.  
PO Box 1269  
Round Rock, TX 78680

Txu Energy  
200 W John Carpenter Fwy  
Irving, TX 75039

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)GMAC Mortgage, LLC

(u)The Bank of New York Mellon Trust Company

(u)The Bank of New York Mellon Trust Company,

(du)The Bank of New York Mellon Trust Company

(d)Lack's Stores, Inc.  
P.O. Box 33158  
San Antonio, TX 78265-3158

(d)Taylor CAD  
co Michael Reed  
P.O. Box 1269  
Round Rock, TX 78680-1269

End of Label Matrix  
Mailable recipients 34  
Bypassed recipients 6  
Total 40